

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF INDIANA  
HAMMOND DIVISION

IN RE: )  
 )  
MONICA DENISE SADLER, ) CASE NO. 05-62782 JPK  
 ) Chapter 13  
Debtor. )

ORDER FOR PRELIMINARY HEARING

On October 26, 2005, the debtor, by counsel, filed an Objection to Creditor's Claim with respect to claim #3 of the Indiana Department of Revenue. The basis for the objection is that "the Debtor had no liability for the years claimed". Review of the claim establishes that the assertion of liability is based on a calculation error asserted by the Indiana Department of Revenue with respect to the 2003 IT-40 return filed by the debtor. This assertion is entitled to a presumption of validity pursuant to 11 U.S.C. § 502(a) and Fed.R.Bankr.P. 3001(f), and the debtor's mere assertion that she has no liability for the 2003 tax year does not overcome the *prima facie* validity of the claim established by those provisions.

IT IS ORDERED that a preliminary hearing will be held on **January 30, 2006, at 2:00 P.M.** with respect to the foregoing objection to claim #3 of the Indiana Department of Revenue. Dated at Hammond, Indiana on January 5, 2006.

/s/ J. Philip Klingeberger  
J. Philip Klingeberger, Judge  
United States Bankruptcy Court

Distribution:  
Debtor, Attorney for Debtor  
Trustee, US Trustee  
Attorney for Creditor